

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ren-Chang Huang et al. Art Unit : Unknown
Serial No. : Not Yet Assigned Examiner : Unknown
Filed : October 30, 2003
Title : PROCESS FOR PRODUCING A CULTURE OF ANTRODIA CAMPHORATA
AND PRODUCT OBTAINED THEREBY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Prior to examination, please amend the application as indicated on the following pages.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL983022187USOctober 30, 2003

Date of Deposit

Amendments to the Specification:

Please amend the paragraph which begins at page 1, line 4 as follows:

CROSS REFERENCE TO RELATED APPLICATIONS

This application is a divisional application of U.S. Application Serial No. 10/113,903, filed March 29, 2002 (currently pending), which is a continuation-in-part of U.S. Application Serial No. 09/566,834, filed May 8, 2000, which is the country equivalent of Taiwan application Serial No. 89102716, filed February 17, 2000, disclosure of which is incorporate herein by reference.

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1. (Previously Presented) A process for producing an *Antrodia camphorata* culture having pharmacological activity, comprising:

(a) inoculating a mycelial inoculum of an isolate of *Antrodia camphorata* into a medium suitable for growth of said isolate to result in a first culture;

(b) subjecting the first culture cultivated from step (a) to a first stage of agitation which is set at a first predetermined rate and for a first period of time to allow further growth of the inoculated isolate, so as to obtain a second culture proliferation with mycelium; and

(c) subjecting the second culture obtained from step (b) to a second stage of agitation which is set at a second predetermined rate different from the first predetermined rate, so as to subject the isolate under physiological stress.

2. (Previously Presented) The process of claim 1, wherein the second predetermined rate is higher than the first predetermined rate.

3. (Previously Presented) The process of claim 1, wherein the first culture from step (a) and the second culture from step (b) are cultivated in steps (b) and (c) by adjusting to a pH value ranging from 4.5 to 5.4.

4. (Previously Presented) The process of claim 3, wherein the first culture from step (a) and the second culture from step (b) are cultivated in steps (b) and (c) by adjusting to a pH value ranging from 4.6 to 5.3.

5. (Previously Presented) The process of claim 4, wherein the first culture from step (a) and the second culture from step (b) are cultivated in steps (b) and (c) by adjusting to a pH value ranging from 4.7 to 5.2.

6. (Previously Presented) The process of claim 1, wherein the medium is selected from the group consisting of potato dextrose broth, and a synthetic medium containing fructose as a major carbon source.

7. (Previously Presented) The process of claim 6, wherein the medium is a synthetic medium containing fructose as a major carbon source.

8. (Previously Presented) The process of claim 1, wherein the isolate is selected from the group consisting of CCRC 930032 (ATCC PTA-1233), CCRC 35396, 35398, 35716, 36401 and 36795.

9. (Previously Presented) A process for producing an *Antrodia camphorata* culture having pharmacological activity, comprising:

- (a) inoculating a mycelial inoculum of an isolate of *Antrodia camphorata* into a medium suitable for growth of said isolate; and
- (b) cultivating the culture resulting from step (a) by adjusting the pH value of the culture to range from 4.5 to 5.4 throughout step (b).

10. (Previously Presented) The process of claim 9, wherein the culture from step (a) is cultivated by adjusting the pH value of the culture to a range from 4.6 to 5.3 throughout step (b).

11. (Previously Presented) The process of claim 10, wherein the culture from step (a) is cultivated by adjusting the pH value of the culture to a range from 4.7 to 5.2 throughout step (b).

12. (Previously Presented) The process of claim 9, wherein the medium is selected from the group consisting of potato dextrose broth, and a synthetic medium containing fructose as a major carbon source.

13. (Previously Presented) The process of claim 12, wherein the medium is a synthetic medium containing fructose as a major carbon source.

14. (Previously Presented) The process of claim 9, wherein the step (b) is performed by agitating at a predetermined rate.

15. (Previously Presented) The process of claim 9, wherein the isolate is selected from the group consisting of CCRC 930032 (ATCC PTA-1233), CCRC 35396, 35398, 35716, 36401 and 36795.

16-25. (Cancelled).

26. (Previously Presented) The process of claim 1, wherein the pharmacological activity is an inhibitory activity against tumor or cancer cells.

27. (Previously Presented) The process of claim 9, wherein the pharmacological activity is an inhibitory activity against tumor or cancer cells.

28-40. (Cancelled).

REMARKS

This application is a division of U.S. Application Serial No. 10/113,903. An office action issued on July 16, 2003 in the '903 application imposed a six-way restriction requirement. Group II was elected. In this divisional application, Applicants have elected Group I, i.e., claims 1-15, 26 and 27, for prosecution and canceled all of the other claims.

Applicants have also amended the list of inventors on the cover page from

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Ren-Chang Huang, Hua-Lian Hsien, Taiwan
Shie-Jea Lin, Hsin-Chu City, Taiwan
Bor-Cheh Wang, Hsin-Chu City, Taiwan

to

Ren-Chang Huang, Hua-Lian Hsien, Taiwan
Bor-Cheh Wang, Hsin-Chu City, Taiwan

Note that the names of Mei-Chiao Wu and Shie-Jea Lin have been deleted since they did not contribute to the invention claimed in this divisional application. Their contributions are limited to other claims originally presented in the '903 application.

Applicants submit that all of the pending claims are now in condition for examination, which action is requested. Please apply any other charges to Deposit Account No. 06-1050, referencing Attorney Docket No. 11702-003005.

Respectfully submitted,

Date: 10-30-03

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